

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff

v.

CHRISTIN GUILLORY,

Defendant.

CASE NO. CR23-77RSM

ORDER DENYING MOTION TO REDUCE
SENTENCE

This matter comes before the Court on Defendant Christin Guillory's Motion for Sentence Reduction. Dkt. #30. Defendant moves for a two-point reduction pursuant to 18 U.S.C. 3582(c)(2) and Amendment 821, Part B, Subpart 1 (Zero Point Offender) to the Sentencing Guidelines. *Id.* at 1. The Court has reviewed responsive briefing from the Government, Dkt. #35. No reply brief was filed by the deadline set by the Court. *See* Dkt. #32.

In May 2023, Ms. Guillory entered guilty pleas in this district to Wire Fraud and Filing a False Tax Return. *See* Dkts. #8–12. Specifically, using various fraudulent schemes over a period of nearly eight years, Guillory embezzled over \$2.5 million from her employer. She willfully failed to report these funds as income on her federal tax returns, causing a tax loss of more than \$500,000.

At the sentencing hearing on August 29, 2023, this Court already granted Ms. Guillory a two-offense-level reduction in anticipation of the Zero-Point Offender provision that had recently

1 been published in then-proposed Amendment 821. After the Zero-Point Offender adjustment,
2 the Court concluded Guillory's Total Offense Level was 22 at Category I, resulting in an
3 applicable sentencing range of 41 to 51 months. The Court then imposed a custodial sentence
4 well below this range: 36 months. *See* Dkt. #28 at 2.

5 Ms. Guillory continues to serve this sentence, with a BOP projected release date in March
6 2026.

7 Pursuant to 18 U.S.C. § 3582(c)(2), a district court has authority to reduce a defendant's
8 sentence under certain limited circumstances:

9 [I]n the case of a defendant who has been sentenced to a term of
10 imprisonment based on a sentencing range that has subsequently
11 been lowered by the Sentencing Commission pursuant to 28 U.S.C.
12 994(o), upon motion of the defendant or the Director of the Bureau
13 of Prisons, or on its own motion, the court may reduce the term of
14 imprisonment, after considering the factors set forth in section
15 3553(a) to the extent that they are applicable, if such a reduction is
16 consistent with applicable policy statements issued by the
17 Sentencing Commission.

18 In Section 1B1.10 of the Guidelines, the Sentencing Commission has identified the amendments
19 which may be applied retroactively pursuant to this authority, including the amendment below,
20 and has articulated the policy and proper procedure for implementing those amendments.

21 In Part B, Subpart 1 to Amendment 821 to the Sentencing Guidelines, the Sentencing
22 Commission added what now appears in Section 4A1.1(c), providing a two offense-level
23 reduction for many offenders who present zero criminal history points. On August 24, 2023, the
24 Commission decreed that this change applies retroactively.

25 The Court agrees with the Government that "[b]ecause Guillory was already granted the
26 benefit of the Zero-Point Offender adjustment at her original sentencing, application of that
27 provision to her sentencing calculation now does not have the effect of lowering her range." Dkt.

1 #35 at 5. Because retroactive application of the amendment does not reduce Guillory's
2 sentencing range, her Motion fails at the first step.¹ Defendant offers no responsive argument to
3 this point. Accordingly, Amendment 821's retroactive Zero Point Offender amendment does not
4 reduce Guillory's sentencing range, and her Motion must be denied. The Court need not consider
5 the § 3553(a) factors.

6 Having considered Defendant's Motion, the Government's Response, and the remainder
7 of the record, the Court hereby finds and ORDERS that Defendant Guillory's Motion to Reduce
8 Sentence Pursuant to 18 U.S.C. § 3582(c)(2) and Amendment 821, Dkt. #30, is DENIED.
9

10
11 DATED this 22nd day of April, 2024.

12
13 

14 RICARDO S. MARTINEZ
15 UNITED STATES DISTRICT JUDGE
16
17
18
19
20
21
22
23
24

25
26 ¹ USSG § 1B1.10(a)(2) provides that "[a] reduction in the defendant's term of imprisonment is not consistent with
27 this policy statement and therefore is not authorized under 18 U.S.C. § 3582(c)(2) if . . . (A) none of the amendments
listed in subsection (d) is applicable to the defendant; or (B) an amendment listed in subsection (d) does not have
the effect of lowering the defendant's applicable guideline range."